

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUBARIE
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whopatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1938
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1938-1971

March 18, 2005

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD
J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHULER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

FACSIMILE COVER SHEET

To: Art Unit: 3732
Examiner: Anu Ramana

Fax: 703-872-9306

From: David E. Jefferies

Re: Serial No: 09/765,151
Filed: January 17, 2001
Applicant: Gilbert R. Gonzales et al.
COMBINATION AND METHOD
INCLUDING A VISUAL MARKER
FOR DETERMINING COMPLIANCE
WITH A MEDICATION REGIMEN
Art Unit: 3732
Examiner: Anu Ramana
Attorney Docket: UNSP-04 (now
PEDI-27)

Pages: 70 (including cover sheet)

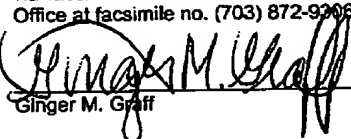
MESSAGE/COMMENTS

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

Missing 1 page

Application Serial No. 09/765,151
Amendment dated March 18, 2005
Reply to Office Action dated November 18, 2004

PATENT

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office at facsimile no. (703) 872-9206 on March 18, 2005.	
 Ginger M. Graff	3/18/05 Date

RECEIVED
CENTRAL FAX CENTER

MAR 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 09/765,151
Filed: January 17, 2001
Applicant: Gilbert R. Gonzales et al.
Title: COMBINATION AND METHOD INCLUDING A VISUAL MARKER
FOR DETERMINING COMPLIANCE WITH A MEDICATION
REGIMEN
Art Unit: 3732
Examiner: Anu Ramana
Attorney Docket: UNSP-04 (now PEDI-27)

Cincinnati, Ohio 45202

March 18, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

In response to the Office Action dated November 18, 2004, in the above-identified application, Applicants respond as follows:

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.

*Entered in
CPC 03/28/05*